

CITY OF ROCKY RIVER

April 24, 2017

The Regular Meeting of Council was called to order by Mr. Hunt, President Pro-Tem of Council, at 8:00 p.m. in the David J. Cook Council Chambers.

Council Members Present: Mr. Hunt, Mr. Shepherd, Mr. O'Donnell,
Mr. Furry, Mr. Sindelar, Mr. Klym

Absent: Mr. Moran

Administration: Mayor Bobst, Mrs. Costello, Mr. Thomas

Law Director: Mr. Bemer

Press: Ms. Botos

The meeting was opened with the Pledge of Allegiance.

MOTION:

Moved by Mr. Hunt, seconded by Mr. Furry, that the reading of the minutes of the Legislative Meeting of April 10th be waived and that the minutes be accepted as submitted

Vote: Hunt – aye	Shepherd – aye	O'Donnell – aye
Mr. Furry - aye	Sindelar – aye	Klym – aye
6 ayes		0 nays

PASSED

MAYOR'S REPORT:

The first of three or four public Master Plan Community Meetings was held on April 19th at the Civic Center. The Cuyahoga County Planning Commission was complimentary regarding the 160-170 residents that attended along with the excellent interaction. The complete documents can be reviewed on rrcity.com along with a survey that the Cuyahoga County Planning Commission hopes residents will take advantage of so the Planning Commission can receive some meaningful feedback. Residents who were not able to attend the meeting are welcome to review the documents online and take the survey. The Mayor thanked Councilman Klym and Law Director Bemer for being in attendance.

Mayor Bobst shared information with Council relating to the Capital Investment Plan over the last few years. During the last 8-10 years, the city went through the deepest recession in more than 50 years but still has some remarkable numbers to share. The city has invested more than \$31 million in the sewer program, \$5.8 million in the waterlines and \$5.8 million in paving in less than ten years. Most of this work was completed with grants, zero interest loans and partnerships with the Cleveland Water Department and ODOT. The Cleveland Water Department has contributed more than \$5 million for rehabilitating and replacing waterlines. For 2017, there will be an additional million dollars in waterline

work, \$1.1 million in additional paving and the Lakeview/Hampton Sewer Project at a little over \$5 million. At the end of this year, the city's total investment over the past several years will be in excess of \$50 million. There is a lot to be proud of. This has been a very aggressive capital plan to meet resident's needs and EPA requirements. Thank you to Director Costello and Engineer MacKay for their leadership on these improvements.

The Mayor announced that the pier is open at Bradstreet's Landing. The restrooms and the parks will be open by Wednesday. There has been a fair amount of vandalism in the parks. The city is looking at ways to help diminish the vandalism. The restroom renovations have begun at Tri-City Park along with a new drinking fountain being installed.

There was a Community Shredding truck at City Hall this past Saturday. A number of residents were in attendance. This shredding day will be followed by a second shredding day on May 6th. Thank you to Director Costello who along with the Community Emergency Response Team Volunteers assisted with the shredding. In May, individuals will be asked to stay in their car, have their I.D.'s checked and watch their materials be placed in the bins. This will ensure that the whole process runs smoothly.

ODOT will begin paving I 90 from Canterbury in Westlake to the Rocky River. Most of this work will be done at night minimizing the inconvenience to the motoring public. There may be some noise from the freeway because of this work. All east and west bound lanes of I 90 will be repaved.

The Spring for Hope Autism Benefit will be held this Thursday. This Benefit is to raise critical funds for families in need of early intervention, therapies and strategies. Thank you to Dr. Neal Smith, the Community West Foundation and the great team of volunteers who are helping with this Benefit.

Friday is the city's Arbor Day Tree Planting at 10:00 am at Linden Park. Following that at 11:30 am is the Volunteer Recognition Luncheon at the Senior Center, which is always a highlight of the year.

LAW DIRECTOR'S REPORT: Mr. Bemer announced that there was a Planning Commission Meeting and Public Hearing on Ordinance No. 15-17 last Tuesday. The Planning Commission is meeting again tomorrow to sign the minutes of Tuesday's meeting. The minutes will be forwarded to Council by the end of the week. Mr. Bemer discussed the possibility of Council holding a Public Hearing on this Ordinance as soon as May 22nd. Mr. Sindelar and Mr. Shepherd requested that Council and other residents have a chance to review the minutes prior to a Public Hearing Meeting being scheduled. This will be discussed further next week.

COMMITTEE REPORTS: Councilman Klym reported on the Parks and Recreation Committee Meeting on April 20th. Online registration began with the Recreation Program. It has gone very smoothly with online registration and in person registration splitting at about 50/50. The Recreation Department has done about \$22,000 in revenue just online. The Summer Day Camp Program has expanded from accepting 85 campers to 100 campers. Registration started today for that program.

Mr. Klym also mentioned Tri-City Park's bathroom updates including new lighting, new plumbing and new floors. At Morley Park there are two new signs up and the basketball court is being resurfaced in late May along with new lines. At Martin Park there are new signs up along with resurfacing of that basketball court in late May. At Linden Park there is new signage, the basketball court will be resurfaced coated and lined. The tennis court cracks will be cleaned out and patched along with the

color of the courts being touched up along with new lines starting the first week of May. At Elmwood Park, the door of the women's restroom and concession stand will be replaced by next week. At Rocky River Park, the bathrooms will be repainted along with new bathroom floors.

- Councilman Shepherd asked if the rims and nets of the basketball courts will be refurbished also. Mr. Klym will check with Director Mehling.

COMMUNICATIONS AND ANNOUNCEMENTS: NONE

PUBLIC COMMENT: NONE

UNFINISHED BUSINESS:

ORDINANCE NO. 15-17 **BY: BRIAN J. SINDELAR**
AN ORDINANCE TO CHANGE THE DISTRICT CLASSIFICATION OF CERTAIN REAL PROPERTY KNOWN AS AUDITOR'S PERMANENT PARCEL NOS. 302-01-007, 302-01-010, AND 302-01-011 FROM THEIR PRESENT CLASSIFICATION OF R-1 SINGLE FAMILY TO R-4 MULTI-FAMILY, IN THEIR ENTIRETY, AS FURTHER DESCRIBED IN EXHIBIT "A" ON HOLD

Mr. Sindelar said that this ordinance was already discussed and a Public Hearing will be set at next Monday's meeting. Mr. Sindelar asked the Mayor if a representative from the Planning Commission could be in attendance at a Council meeting and/or the Public Hearing. The Mayor suggested that Mr. Sindelar put together some questions and hold a Committee Meeting prior to the Public Hearing and have the representative be available to respond at both meetings.

ORDINANCE NO. 16-17 **BY: MICHAEL P. O'DONNELL**
AN EMERGENCY ORDINANCE AUTHORIZING THE SAFETY-SERVICE DIRECTOR TO PURCHASE TWO STAINLESS STEEL DUMP BODIES WITH SNOW PLOW PACKAGES FOR THE SERVICE DIVISION FROM CONCORD ROAD EQUIPMENT MFG INC AT A TOTAL COST NOT TO EXCEED \$89,843.52
2nd READING

This has been discussed for several weeks and Mr. O'Donnell will seek passage in two weeks. This is a companion ordinance to Ordinance No. 9-17, which was for the purchase of two 2- 2 ½ ton dump truck chassis. This ordinance is for the dump bodies that are to be installed on the truck chassis with snow plow packages. This was the lowest and best bid received.

ORDINANCE NO. 17-17 **BY: DAVID W. FURRY**
AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF ROCKY RIVER AND AECOM FOR PROFESSIONAL SERVICES RELATIVE TO THE PREPARATION OF A SEWER FLOW AND STRENGTH STUDY AS FURTHER DESCRIBED IN EXHIBIT "A" AT A COST NOT TO EXCEED \$51,000.00
2nd READING

This was discussed last week and comes around every four years. This sets the expenses for the WWTP. The cost for this four years ago was \$48,000 with the work being completed by URS. URS and AECOM have since merged so they are the same entity. Councilman Furry moved that the rule requiring that Ordinance No. 17-17 be read on three separate days be suspended, seconded by Mr. Shepherd, as this process needs to begin May 1st.

Vote: Hunt – aye	Shepherd – aye	O'Donnell – aye	
Mr. Furry – aye	Sindelar – aye	Klym – aye	
6 ayes		0 nays	PASSED

Mr. Furry moved to pass Ordinance No. 17-17 seconded by Mr. O'Donnell

Vote: Hunt – aye	Shepherd – aye	O'Donnell – aye	
Mr. Furry – aye	Sindelar – aye	Klym – aye	
6 ayes		0 nays	PASSED

ORDINANCE NO. 18-17 **BY: THOMAS J. HUNT**
AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO
ENTER INTO AN AGREEMENT WITH THE STATE OF OHIO TO GRANT UP TO \$30,000.00
FOR THE OPERATION OF THE MARINE PATROL FOR THE YEAR 2017, AND AS
FURTHER DESCRIBED IN THE ATTACHED AGREEMENT
2nd READING

This agreement has been extended until May 8th. Mr. Hunt received additional information from the Mayor and Director Costello regarding the agreement. The agreement is identical to last year's agreement. This will be discussed further next week.

RESOLUTION NO. 19-17 **BY: DAVID W. FURRY**
AN EMERGENCY RESOLUTION AUTHORIZING THE MAYOR AND HER DESIGNEE TO
SUBMIT AN APPLICATION TO THE NORTHEAST OHIO AREAWIDE COORDINATING
AGENCY (NOACA) FOR A STATE OF OHIO CONGESTION MITIGATION AND AIR
QUALITY (CMAQ) GRANT REGARDING CONGESTION REDUCTION, TRAFFIC FLOW
IMPROVEMENTS AND INTELLIGENT TRANSPORTATION SYSTEMS (ITS) FOR CENTER
RIDGE ROAD INTERSECTIONS
2nd READING

This resolution allows the Mayor to submit an application to NOACA for a State of Ohio Congestion Mitigation and Air Quality Grant regarding congestion reduction, traffic flow improvements and intelligent transportation systems for Center Ridge intersections. This grant would fund improvements for signalization and better intersection striping as recommended in the Fairview Park/Rocky River TLCI study also funded by NOACA. The scope of the project includes the Northview/Linden intersection at Center Ridge and the Wagar/Center Ridge intersection and will include cellular signalization systems which will improve the timing for signals. The total project cost is estimated at \$436,000 of which the city portion is 20% or approximately \$87,200. This is an application for funding. If the city is successful in obtaining this grant, the project will begin in 2018. This will have a third read in two weeks.

ORDINANCE NO. 20-17 **BY: DAVID W. FURRY**
AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT
BETWEEN THE CITY OF ROCKY RIVER AND HAZEN AND SAWYER FOR
PROFESSIONAL SERVICES RELATIVE TO THE PREPARATION OF A NO FEASIBLE
ALTERNATIVES STUDY AS FURTHER DESCRIBED IN EXHIBIT "A" AT A COST NOT TO
EXCEED \$274,600

2nd READING

This ordinance is authorizing the Mayor to enter into an agreement with Hazen and Sawyer for professional services relative to the preparation of a No Feasible Alternatives Study at a cost not to exceed \$274,600. Per the NPDES permit with the Ohio EPA, the city is required to submit this prior to January 1, 2019. The intent is to investigate ways to eliminate bypass of secondary treatment of any sanitary wastes. Hazen and Sawyer were determined to be the most qualified. Funds will be paid out of the WWTP Capital Fund Professional Services Account. This bidder also has no unresolved findings in the auditor's database.

ORDINANCE NO. 21-17 **BY: JAMES W. MORAN**
AN EMERGENCY ORDINANCE PROVIDING FOR THE COMPENSATION OF
COUNCILMEMBERS OF THE CITY OF ROCKY RIVER FOR THE YEARS COMMENCING
JANUARY 1, 2018 AND ENDING DECEMBER 31, 2019

2nd READING

Mr. Hunt said there will be no increase in the compensation for the Councilmembers.

ORDINANCE NO. 22-17 **BY: JAMES W. MORAN**
AN EMERGENCY ORDINANCE PROVIDING FOR THE COMPENSATION OF THE
PRESIDENT OF COUNCIL OF THE CITY OF ROCKY RIVER FOR THE YEARS
COMMENCING JANUARY 1, 2018 AND ENDING DECEMBER 31, 2019

2nd READING

Mr. Hunt said there will be no increase in the compensation for the President of Council.

ORDINANCE NO. 23-17 **BY: JAMES W. MORAN**
AN EMERGENCY ORDINANCE PROVIDING FOR THE COMPENSATION OF THE
DIRECTOR OF LAW FOR THE YEARS COMMENCING JANUARY 1, 2018 AND ENDING
DECEMBER 31, 2019

2nd READING

Mr. Hunt said that this ordinance will set the compensation for the position of Law Director. This will be discussed more at next week's meeting.

ORDINANCE NO. 24-17 **BY: JAMES W. MORAN**
AN EMERGENCY ORDINANCE PROVIDING FOR THE COMPENSATION OF THE
MAYOR OF THE CITY OF ROCKY RIVER FOR THE YEARS COMMENCING JANUARY 1,
2018 AND ENDING DECEMBER 31, 2019

2nd READING

Mr. Hunt said this wraps up the four ordinances setting compensation for elected officials for 2018 through 2019. This position salary will increase for the first time in 10 years to \$99,975 per year, if this ordinance is approved. This will be discussed again at next week's meeting.

ORDINANCE NO. 25-17

BY: JOHN B. SHEPHERD

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND SAFETY-SERVICE DIRECTOR TO ENTER INTO A CONTRACT WITH UTILICON CORPORATION FOR THE 2017 WATER MAIN REHABILITATION FOR KENSINGTON OVAL, IN AN AMOUNT NOT TO EXCEED \$127,514.33

2nd READING

This was put out to bid and two bids were received. Both bids came in below the engineer's estimate of \$134,000. A search of the auditor's state's unresolved findings database showed they are not listed in the database. This company was referred favorably by the City of Cleveland and Willowick. The City of Cleveland Water Department will reimburse all of this money.

ORDINANCE NO. 26-17

BY: JOHN B. SHEPHERD

AN EMERGENCY ORDINANCE AUTHORIZING THE ADMINISTRATION TO PURCHASE AN ESTIMATED 2,300 TONS OF SALT FOR THE 2017 / 2018 WINTER SEASON FOR THE SERVICE DEPARTMENT UNDER THE OHIO DEPARTMENT OF TRANSPORTATION'S COOPERATIVE PURCHASING CONTRACT NO. 18 FROM THE STATE-APPROVED VENDOR

2nd READING

Mr. Shepherd said that the city used 2,700 tons of salt this season. There is 2,300 tons in storage. This ordinance will give the city another 2,300 tons of salt. Mr. Shepherd explained that there is a range in the contract to go a little lower or higher than the amount of the contract. This will put the salt supply for 2017-2018 at 4,400 tons minimum to 4,800 tons maximum. The extra salt will be kept in the storage facility.

NEW BUSINESS:

ORDINANCE NO. 27-17

BY: JOHN B. SHEPHERD

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND SAFETY SERVICE DIRECTOR TO ENTER INTO A CONTRACT WITH UNITED SURVEY, INC. FOR THE 2017 SANITARY SEWER AND MANHOLE REHABILITATION AT A COST NOT TO EXCEED \$192,720.00

1st READING

This project was advertised for bid and received two bids in return. United Survey was the low bidder and was under the engineer's estimate. This bidder also has no unresolved findings in the auditor's database. United Survey has favorable referrals from the City of Cleveland and Willowick. This is a project where the seams of the sewer pipes will be sealed up to get better performance and longevity. The funds come from the sewer rehabilitation fund. Mr. Shepherd said this will have three full reads.

ORDINANCE NO. 28-17**BY: CHRISTOPHER J. KLYM**

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO ENTER INTO AN EIGHT (8) YEAR BEVERAGE SERVICE AGREEMENT WITH CLEVELAND COCA-COLA BOTTLING COMPANY, INC. FOR THE ROCKY RIVER RECREATION DEPARTMENT

1st READING

This agreement is rebid every few years and two bids were received. The bids are attached as Exhibit A. The following incentives will be received from Coca-Cola:

- A \$6,000 a year sponsorship fee / Pepsi \$0
- Insulated display barrels
- Scoreboard incentives of \$2,500 / Pepsi \$0
- 40% Commission on gross sales
- Dasher Board Ad at Hamilton Ice Arena for \$1,500 a year / Pepsi \$0
- Coca-Cola is offering a can and bottle rebate of \$2,375 a year or \$19,000 over the term of the contract.
- Pricing increases for Coca-Cola will be 3.5% annually / Pepsi will cap theirs at 4%

Mr. Klym said there is a vast difference between the two bids. This will be read three times. Some discussion ensued.

ORDINANCE NO. 29-17**BY: JOHN B. SHEPHERD**

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY-SERVICE TO AGREE TO RENEW A CONTRACT FOR ONE (1) YEAR THE PURCHASE PRINTING SERVICES FOR THE CITY OF ROCKY RIVER FROM ADMIRAL PRODUCTS, INC. AS FURTHER DESCRIBED IN EXHIBIT "A"

1st READING

Mr. Shepherd said that Council encourages a bidding process. In 2014, Director Costello sent out 11 bid packages and only Admiral Products responded. Admiral Products has offered to extend this contract for a fourth year at the same price. The city has had a good experience with Admiral Products. This will have three reads.

ORDINANCES UNDER CONSENT:**ORDINANCE NO. 13-17****BY: CHRISTOPHER J. KLYM**

AN ORDINANCE AMENDING SECTION 957.01 ENTITLED "USE FEES AND SECURITY DEPOSIT" OF THE CODIFIED ORDINANCE OF THE CITY OF ROCKY RIVER, AND AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT A

3rd READING**ORDINANCE NO. 14-17****BY: CHRISTOPHER J. KLYM**

AN ORDINANCE AMENDING SECTION 958.01 ENTITLED "RENTAL FEES" OF THE CODIFIED ORDINANCE OF THE CITY OF ROCKY RIVER, AND AS FURTHER DESCRIBED IN THE ATTACHED EXHIBIT A

3rd READING

Mr. Klym said that both of these ordinances deal with an increase of rental fees for park facilities. Ordinance No. 13-17 deals with Elmwood Cabin and 14-17 deals with the gazebo shelter at City Hall and the picnic shelter at Rocky River Park. Elmwood Cabin rental is increased for Monday through Friday from \$150- \$250.00. The recreation department did comparisons with other cities and these fees are very comparable. The gazebo will be increased \$10.00 for residents and non-residents. These fees have not been increased since 2011. Residents can reserve these structures one year in advance while non-residents can only reserve 6 months in advance. These increases will not be applied to any scheduled rentals already on the books.

- Mr. Shepherd noted that there should be a 30-day wait for the increase since there is no emergency language in the ordinance.

Moved by Mr. Klym, seconded by Mr. O'Donnell that Ordinance No. 13-17 and Ordinance No. 14-17 of the Consent Agenda be passed as read

Vote: Hunt – aye	Shepherd – aye	O'Donnell – aye	
Mr. Furry - aye	Sindelar – aye	Klym – aye	
6 ayes		0 nays	PASSED

NEW BUSINESS: NONE

MISCELLANEOUS BUSINESS: Mr. O'Donnell and Mr. Furry will not be in attendance at next week's meeting and request their ordinances be included on a Consent Agenda, if there is one for the next Legislative Meeting.

The Swinging Door Liquor License Request is a stock sale request and was approved by Council.

Happy Birthday to Mr. Hunt and Mayor Bobst at the end of this week! Also Happy Birthday and welcome back to Bill Welsh!

PUBLIC COMMENT: NONE

As there was no further business by members of Council, the meeting was adjourned at 8:56 p.m.

Thomas J. Hunt
President Pro-Tem of Council

Susan G. Pease
Clerk of Council